

Residential Study Group (RSG)
March 30, 2017
9:00 a.m. – 10:15 a.m.
Arlington Town Hall, First Floor Conference Room
MEETING SUMMARY

Attendees: Steve McKenna, Town Manager appointee; Jenny Raitt, Planning and Community Development; Bill Copithorne; Adam Chapdelaine, Town Manager; Mike Byrne, Inspectional Services; Doug Heim, Town Counsel; Liz Pyle, Town Meeting Member; Jonathan Nyberg; Pasi Miettien.

Jenny opened the meeting. The group made introductions.

The group continued discussion about public comments and feedback received at the Board of Selectmen and Arlington Redevelopment Board public hearings and continued prep for public forum. The word occupants was added to the notification section of the town bylaw amendments so that we can reach tenants. The group discussed two issues that were raised: the Town Managers Authority to file and the date when zoning is effective. Both matters are moot points. On the first matter, Doug noted the Town Manager's authority and followed up by email that:

- The Town Manager can submit a request for a warrant article on a zoning matter, though circumstances likely make the exercise of such authority uncommon. Chapter 40A sec. 5 states that, "Adoption or change of zoning ordinances or by-laws may be initiated by the submission to the city council or board of selectmen of a proposed zoning ordinance or by-law by a city council, a board of selectmen, a board of appeals, by an individual owning land to be affected by change or adoption, by request of registered voters of a town pursuant to section ten of chapter thirty-nine, by ten registered voters in a city, by a planning board, by a regional planning agency or by other methods provided by municipal charter..."
- Arlington's Town Manager Act is the equivalent of a charter and vests considerable duties and authorities with the Manager. Among many other powers enumerated under section 15 of the Act, the Manager:
 - Supervises the direct the administration of all departments, commissions, boards and offices (excepting those specifically listed);
 - Recommends to the Selectmen measures requiring action "by them or by the town as he may deem necessary or expedient;" and of course,
 - "[P]erform(s) such other duties, consistent with his office, as may be required."
- Germane to the Residential Study Group articles in particular, the Group was established by Town Meeting to examine a number of issues and report back to Town Meeting with recommendations for Zoning and Town Bylaw amendments as appropriate and under the general supervision of the Manager. Different approaches were used with different Study Group articles depending upon the nature of the article, timing, etc., but it is within the Manager's authority to request an article on the warrant

in such circumstance, especially given the requests of Town Meeting. Moreover, the process was essentially that the Study Group requested articles on the Annual and Special Town Meeting Warrant either through the Manager or the ARB, and they were so inserted.

- Thereafter, the ARB and BOS held properly noticed hearings on each article before voting on its recommendations to Town Meeting, such that regardless of the vehicle for appearing on the warrants our planning board publicly, independently vetted each Study Group and Town Manager article.

On the second matter of when zoning becomes effective, the town is bound by MGL Chapter 40A.

Some of the comments heard at the ARB meeting included that people didn't understand the impact of the reduction in parking spaces. We need to emphasize that all setbacks remain the same and lot coverage is the same, including the requirements for open space. We should show a house without any parking spaces. We also need to understand the impact on larger lots. It is difficult to communicate the difference between open space and lot coverage.

On the graphics, we need a heavy line to demarcate the property lines. We should have photos of homes on Park Street. We need a garage to be shown at grade. Lot sizes should be noted. We need to show things side by side (existing versus proposed). We also need to show a two-car garage at 28% grade. On the driveways, we need to emphasize that this will lead to better quality, safety, and configurations on lots.

We will have a Construction Agreement on Monday. Final votes and comments were provided at the 3/27 BOS meeting. For the bylaw amendments, we need to emphasize the importance of communications/ notification and on-site controls (access, timelines, dumpsters, up-keep, protections for neighbors and streets/ sidewalks and including construction hours).

The group discussed the meeting schedule and scheduled: Next meeting will be on 4/3 at 6:00 p.m. The group scheduled a meeting to debrief the forum on 4/10 at 9:00 a.m.